

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Herbert Pitts,

Civ. No. 20-883 (PJS/BRT)

Petitioner,

v.

**ORDER**

Warden Duffield,

Respondent.

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Herbert Pitts, *pro se* Petitioner.


Edwin William Stockmeyer, III, Esq., and Matthew Frank, Esq., Office of the Minnesota Attorney General, and Jeffrey Wald, Esq., and Thomas M. Ragatz, Esq., Ramsey County Attorney's Office, counsel for Respondent.

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Based on the files, records, and proceedings herein, **IT IS HEREBY ORDERED**  
that:

1. Respondent's Motion to Dismiss (Doc. No. 14) is **GRANTED**;
2. Petitioner's Petition for a writ of habeas corpus (Doc. No. 1) is **DENIED**;
3. A certificate of appealability **NOT BE GRANTED**; and
4. Judgment be entered accordingly.

Date: December 28, 2020

  
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PATRICK J. SCHILTZ  
United States District Court Judge